

WORKING MEMO #697

DATE: December 18, 1992

TO: Office of Water Programs Engineering and Shellfish Staff

FROM: Eric H. Bartsch, P.E., Director
Office of Water Programs

SUBJECT: Water - Procedure - Miscellaneous - Licensing of Water Well Drillers

The 1992 General Assembly modified §54.1-1100 of the Code of Virginia to require that water well drillers be licensed as either a Class B (minimum class) or Class A contractor. These Classes are distinguished by the dollar value of the projects they are permitted to undertake. To be a well driller the contractor must take a special written examination. Apparently it is an examination developed by the National Water Well Association and may be taken through them.

The law places no responsibility of the Department of Health to ensure that contractors drilling wells are certified as well as drillers.

Enclosed is a packet of information provided by the Department of Commerce to all the local environmental health specialists (sanitarians). Please read the attached information. You are not required to do anything with the notice to the contractor; however, as a courtesy to the Department of Commerce a copy of this consumer notice is to be enclosed with all well site approval letters.

COMMONWEALTH OF VIRGINIA

Department of Commerce
3600 WEST BROAD STREET, RICHMOND, VIRGINIA 23230-4917

MEMORANDUM

TO: All Local Environmental Health Specialists

FROM: Florence R. Brassier
Assistant Director
The Board for Contractors

DATE: November 23, 1992

RE: The Licensing Requirement for
Water Well Drillers

I am writing to provide you information about the above-referenced requirement.

Section 54.1-1100 of the Code of Virginia requires that all water well drillers practicing in the Commonwealth maintain the appropriate contractors license issued by our Board. Drillers performing jobs up to \$70,000 per job or contract must hold a Class B license; anyone engaged in a single project above that amount or earning \$500,000 or above in a twelve-month period must hold a Class A license.

Many well drillers are unaware of these requirements. Contractors normally learn about state licensing requirements from local building officials when permits are sought. Since well permits are not usually issued directly to the driller, this method of communicating and enforcing the licensing requirement is not available.

I am, therefore, proposing that the following steps be taken to ensure adequate protection of the public by bringing all well drillers into compliance with the law:

1. Please provide a copy of the enclosed consumer notice to all those who receive permits for water wells from your office.
2. When inspecting a well, please ask the contractor who performed the work to give you his license number and type (Class B or A) as well as the expiration date of the license. Our license numbers are six digits long with a four-digit prefix - 2701 04 2705. Most contractors will not know the prefix, but will know the six-digit number. All of our licenses come with a detachable wallet or pocket card showing the number and expiration date of the license.

TELEPHONE (804) 367-8500
TDD: (804) 367-9753

3. If the contractor does not have a license, give him a copy of the enclosed notice and mail a copy to our office. If the contractor says that he does not have his license or pocket card, you can call our office at (804) 367-8511 to check the number he gives you or to ask us to search for a license record based on the name of the business and/or the individual.

If these steps are taken, problems with unlicensed well drillers should diminish considerably over the next few months. To facilitate this process, i have also enclosed some basic guidelines about the requirements for licensure; since two examinations are now required for water well drillers, it will probably take a month or longer for most applicants to complete the process.

If you are concerned that a contractor is not actually taking steps to obtain the proper license, ask him to show you a copy of the front page of his application and evidence (a copy of a check or receipt for a money order) of payment of the licensing fee. While it would be inappropriate for you to refuse to approve a well **solely** because the well driller does not hold the proper contractor license, you can certainly pressure the contractor to come into compliance with the law by informing our agency of his unlawful practice. Complaints of unlicensed practice are investigated by our Criminal Investigations Unit and can lead to prosecution buy the Commonwealth's Attorney, especially in cases which the violations are repeated and committed by contractors who have been informed of the licensing requirements.

The Board appreciates your assistance in the enforcement of contractor license law. Staff in our office will be happy to answer any questions you may have or to provide you any additional information you may need. You can write to me or my assistant, Elizabeth Kirksey, at the above address or telephone us at (804) 367-8557.

Enclosures

cc The Board for Contractors
 Steve Cain, Director
 Virginia Water Well Association
 Elizabeth Kirksey
 Assistant Administrator
 Gary Hagy
 The Board for Contractors
 Assistant Division Director
 Division of On-Site Sewage and
 Wayne Brown, Chief Water Services
 Criminal Investigations Unit
 Virginia Department of Commerce

CONSUMER NOTICE

ALL WATER WELL DRILLERS PRACTICING IN THE
COMMONWEALTH OF VIRGINIA ARE REQUIRED TO BE LICENSED
BY THE BOARD FOR CONTRACTORS

UNDER §54.1-1100 OF THE CODE OF VIRGINIA.

BE SURE TO ASK YOUR WATER WELL DRILLER TO SHOW
YOU THAT LICENSE BEFORE YOU SIGN A CONTRACT FOR THE
DRILLING OF YOUR WELL. IF YOU ARE DEALING WITH A
CONTRACTOR WHO HAS NO LICENSE, TELL HIM TO CONTACT

THE BOARD FOR CONTRACTORS

VA DEPARTMENT OF COMMERCE

3600 WEST BROAD ST

RICHMOND, VA 23230-4917

(804) 367-8511

DO NOT CONTRACT WITH AN UNLICENSED WELL-DRILLER!!

GUIDELINES FOR OBTAINING A CONTRACTOR LICENSE

AS A WATER WELL DRILLER

1. All water well drillers must hold either a Class B (up to \$70,000 per contract or project or up to \$500,000 in a twelve-month period) or Class A (anything above these amounts) contractor license.
2. All applicants for a new license are required to pass the licensing exam. See the enclosed information from the National Assessment Institute (NAI) for further information on the cost, locations and scheduling of this test.
3. All applicants for a new license as a water well driller are also required to pass the water well driller exam. See the enclosed Department of Commerce schedule for the locations and dates of these exams. The same test is given occasionally by the Virginia Water Well Association, Inc. and non-members may sit for that exam if they wish. The test is also given in other states by the National Water Well Association. For further information on these administrations of the test, contact Steve Cain of the Virginia Association at P. O. Box 1128, New Market, Virginia 22844 or at (703) 740-3329. **The Virginia Association will be giving the test in Roanoke in February, 1993.**
4. Applicants with special problems (i.e.- concerns about their ability to pass the tests, questions about having been licensed in the past and having failed to keep their licenses current) should call or write the following:

Elizabeth Kirksey
Assistant Administrator
The Board for Contractors
Virginia Department of Commerce
3600 West Broad Street
Richmond, Virginia 23230-4917
(804) 367-8557

NOTICE

TO:

(contractor name)

(contractor address)

WATER WELL DRILLER

FROM:

(name)

(telephone number)

_____ **HEALTH DEPARTMENT**
(locality)

DATE:

ALL WATER WELL DRILLERS PRACTICING IN THE COMMONWEALTH OF VIRGINIA ARE REQUIRED TO HOLD A STATE CONTRACTOR LICENSE, REGARDLESS OF CONTRACT OR PROJECT AMOUNT. CONTACT THE BOARD FOR CONTRACTORS TO OBTAIN INFORMATION ABOUT HOW TO BECOME LICENSED BY WRITING OR CALLING:

The Board of Contractors
Virginia Department of Commerce
3600 West Broad Street
Richmond, VA 23230-4917

(804) 367-8511

BY COPY OF THIS NOTICE, I AM INFORMING THE BOARD FOR CONTRACTORS THAT YOUR FIRM IS CURRENTLY PRACTICING WITHOUT THE REQUIRED LICENSE. FAILURE TO COMPLY WITH THE LAW MAY LEAD TO CRIMINAL PROSECUTION UNDER SECTION 54.1-1115 OF THE CODE OF VIRGINIA.

cc The Board for Contractors

**DEPARTMENT OF COMMERCE
1993 EXAMINATION SCHEDULE (TENTATIVE)**

EXAM DATE	EXAM	*FEE/APP.DEADLINE	EXAM LOCATION
JANUARY 1993			
JANUARY 15, 1993	AUCTIONEERS	DECEMBER 16, 1992	DOC
JANUARY 20, 1993	COMPLIANCE AGENTS	JANUARY 6, 1993	RICHMOND
JANUARY 4, 1993	COSMETOLOGY	DECEMBER 21, 1992	5 STATEWIDE LOC.
JANUARY 11, 1993	HEARING AID	DECEMBER 11, 1992	RICHMOND
JANUARY 25, 1993	NAIL TECHNICIAN	JANUARY 11, 1993	DETERMINED BY NAI
JANUARY 8, 1993	WATER WELL DRILLER	DECEMBER 23, 1993	RICHMOND
FEBRUARY 1993			
FEBRUARY 8, 1993	BARBERS	JANUARY 25, 1993	DETERMINED BY NAI
FEBRUARY 1, 1993	COSMETOLOGY	JANUARY 18, 1993	5 STATEWIDE LOC.
FEBRUARY 22, 1993	NAIL TECHNICIAN	FEBRUARY 8, 1993	DETERMINED BY NAI
MARCH 1993			
MARCH 1, 1993	COSMETOLOGY	FEBRUARY 15, 1993	5 STATEWIDE LOC.
MARCH 12, 1993	GEOLOGY	FEBRUARY 12, 1992	RICHMOND
MARCH 15, 1993	NAIL TECHNICIAN	MARCH 1, 1993	DETERMINED BY NAI
*TO BE DETERMINED	POLYGRAPH EXAMINERS	*****	DOC
--- MARCH 5, 1993	WATER WELL DRILLERS	FEBRUARY 19, 1993	RICHMOND
APRIL 1993			
APRIL 16, 1993	AUCTIONEERS	MARCH 17, 1993	DOC
APRIL 5, 1993	BARBERS	MARCH 22, 1993	DETERMINED BY NAI
APRIL 21, 1993	COMPLIANCE AGENTS	APRIL 7, 1993	RICHMOND
APRIL 5, 1993	COSMETOLOGY	MARCH 22, 1993	5 STATEWIDE LOC.
APRIL 17, 1993	EIT	MARCH 1, 1993	6 STATEWIDE LOC.
APRIL 16-17, 1993	LAND SURVEYORS	MARCH 1, 1993	RICHMOND
APRIL 26, 1993	NAIL TECHNICIANS	APRIL 12, 1993	DETERMINED BY NAI
APRIL 16, 1993	PRO. ENGINEERS	MARCH 1, 1993	3 STATEWIDE LOC.
MAY 1993			
MAY 5-7, 1993	CPA	MARCH 5, 1993	4 STATEWIDE LOC.
MAY 3, 1993	COSMETOLOGY	MARCH 5, 1993	DETERMINED BY NAI
MAY 10, 1993	HEARING AID	APRIL 9, 1993	RICHMOND
MAY 17, 1993	NAIL TECHNICIANS	MAY 3, 1993	DETERMINED BY NAI
MAY 19, 1993	OPTICIANS (WRITTEN)	MARCH 22, 1993	J. SERGEANT REY.
MAY 7, 1993	WATER/WASTEWATER	MARCH 5, 1993	5 STATEWIDE LOC.
--- MAY 7, 1993	WATER WELL DRILLER	APRIL 23, 1993	5 STATEWIDE LOC.*
JUNE 1993			
JUNE 14-17, 1993	ARCHITECTS	APRIL 30, 1993	RICHMOND
JUNE 7, 1993	COSMETOLOGY	MAY 24, 1993	5 STATEWIDE LOC.
JUNE 14-16, 1993	LANDSCAPE ARCH.	APRIL 30, 1993	RICHMOND
JUNE 7, 1993	BARBERS	MAY 24, 1993	DETERMINED BY NAI

*USUALLY-Richmond, Suffolk, Reston, Salem, and Abingdon

JUNE 21, 1993 TO BE DETERMINED	NAIL TECHNICIANS POLYGRAPH	JUNE 7, 1993 *****	DETERMINED BY NAI RICHMOND
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JULY 1993

JULY 16, 1993	AUCTIONEERS	JUNE 16, 1993	DOC
JULY 5, 1993	COSMETOLOGY	JUNE 21, 1993	5 STATEWIDE LOC.
JULY 19, 1993	NAIL TECHNICIANS	JULY 5, 1993	DETERMINED BY NAI
JULY 9, 1993	OPTICIANS (PRACTICAL)	MARCH 22, 1993	J. SERGEANT REY.
--- JULY 2, 1993	WATER WELL DRILLERS	JUNE 8, 1993	RICHMOND

AUGUST 1993

AUGUST 9, 1993	BARBERS	JULY 26, 1993	DETERMINED BY NAI
AUGUST 2, 1993	COSMETOLOGY	JULY 19, 1993	5 STATEWIDE LOC.
AUGUST 16, 1993	NAIL TECHNICIANS	AUGUST 2, 1993	DETERMINED BY NAI

SEPTEMBER 1993

SEPTEMBER 13, 1993	COSMETOLOGY	AUGUST 30, 1993	5 STATEWIDE LOC.
SEPTEMBER 13, 1993	HEARING AID	AUGUST 13, 1993	RICHMOND
SEPTEMBER 27, 1993	NAIL TECHNICIANS	SEPTEMBER 13, 1993	DETERMINED BY NAI
TO BE DETERMINED	POLYGRAPH EXAMINERS	*****	RICHMOND
TO BE DETERMINED	GEOLOGY	*****	RICHMOND
-SEPTEMBER 3, 1993	WATER WELL DRILLERS	AUGUST 20, 1993	RICHMOND

OCTOBER 1993

OCTOBER 15, 1993	AUCTIONEERS	SEPTEMBER 15, 1993	DOC
OCTOBER 4, 1993	BARBERS	SEPTEMBER 20, 1993	DETERMINED BY NAI
OCTOBER 4, 1993	COSMETOLOGY	SEPTEMBER 20, 1993	5 STATEWIDE LOC.
OCTOBER 30, 1993	EIT	SEPTEMBER 15, 1993	5 STATEWIDE LOC.
OCTOBER 29-30, 1993	LAND SURVEYORS	SEPTEMBER 15, 1993	RICHMOND
OCTOBER 18, 1993	NAIL TECHNICIANS	OCTOBER 4, 1993	DETERMINED BY NAI
OCTOBER 29, 1993	PROF. ENGINEERS	SEPTEMBER 15, 1993	3 STATEWIDE LOC.

NOVEMBER 1993

NOVEMBER 3-5, 1993	CPA	SEPTEMBER 3, 1993	4 STATEWIDE LOC.
NOVEMBER 1, 1993	COSMETOLOGY	OCTOBER 18, 1993	5 STATEWIDE LOC.
NOVEMBER 15, 1993	NAIL TECHNICIANS	NOVEMBER 1, 1993	DETERMINED BY NAI
NOVEMBER 17, 1993	OPTICIANS (WRITTEN)	SEPTEMBER 20, 1993	J. SERGEANT REY.
NOVEMBER 5, 1993	WATER & WASTEWATER	SEPTEMBER 5, 1993	5 STATEWIDE LOC.
TO BE DETERMINED	SOIL SCIENTIST	*****	RICHMOND
-NOVEMBER 5, 1993	WATER WELL DRILLERS	OCTOBER 22, 1993	5 STATEWIDE LOC.*

DECEMBER 1993

DECEMBER 6-7, 1993	ARCHITECTS	OCTOBER 22, 1993	RICHMOND
DECEMBER 6, 1993	BARBERS	NOVEMBER 22, 1993	DETERMINED BY NAI
DECEMBER 6, 1993	COSMETOLOGY	NOVEMBER 22, 1993	5 STATEWIDE LOC.
DECEMBER 3, 1993	OPTICIANS (PRACTICAL)	SEPTEMBER 20, 1993	J. SERGEANT REY.
DECEMBER 20, 1993	NAIL TECHNICIANS	DECEMBER 6, 1993	DETERMINED BY NAI
TO BE DETERMINED	POLYGRAPH	*****	TO BE DETERMINED

* USUALLY - Richmond, Suffolk, Reston, Salem, and Abingdon

Contractor's Bulletin of Information

To Apply

To take the designated employee

examination required for Class A or Class B Contractors:

- Complete the application form, selecting a city and exam date.
- Mail the form with your check or money order to NAI.
- Expect an Admission Letter to be mailed to you at least two weeks prior to the exam date you selected. If you do not receive this letter, call NAI.
- Bring the Admission Letter to the exam site, along with a photo ID.
- Scores will be mailed to you and the Department of Commerce (DoC) within 10 working days (two weeks). If you do not receive your score report after that time, call NAI.
- If you fail any part, a retake form is included with your score report.
- Handicapped candidates or those with special needs must call NAI to make arrangements well before the exam. Translators are not permitted but foreign language-English dictionaries may be used during the exam.

Basic Fees

Each section of the examination costs \$20. Class B applicants take

the first two sections (\$40) and Class A applicants take all three sections (\$60).

What to Bring

- Two #2 pencils, sharpened.
- A picture ID.
- Silent, non-printing calculator.
- Reference materials; this is an open book exam. All reference materials but handwritten notes are permitted. NAI reserves the right to approve all materials brought to the exam site.

Rescheduling

To reschedule an exam, please write NAI with a new date of choice and a re-scheduling fee of \$15.00 on or before your original exam date. If you fail to appear for an exam for which you are scheduled, your fees are forfeited and you must reapply.

Walk-In Exams

Persons who have not pre-registered for an exam may still take it on a space available basis at all sites except Richlands and Big Stone Gap for a \$20 additional fee. Walk-in exams are given daily in Richmond at 10:00 a.m. Walk-in candidates must call NAI prior to the exam to ensure a seat.

Study Manual

A reference manual for this open book test, with sections on business planning and organization, licensing, payroll, project management, contracts, referenced laws and regulations, is available from NAI for \$20.

SameDay Scoring

Since a missed part of the exam may be retaken the same day, if time is available, candidates can be told verbally whether exam was passed or failed immediately after taking it for a fee of \$15.

Preview Orientation

A presentation on test taking, with a practice exam, is offered at 8:30 a.m. on regularly scheduled exam days (except Richlands and Big Stone Gap) and daily at Richmond. Persons uncomfortable with tests have told us that this has helped them score better than they have in the past. Fee \$25.

SameDay and Preview fees should be prepaid with your registration. All fees are non-refundable.

Examinations are scheduled on a space-available basis. The dates below are tentative and based on the number of candidates scheduled or required to fill an exam site; only the FIRST date of each session is listed: most sites have two or more test days per month-read your Admission Letter carefully. All exams begin at 10:00 a.m. unless otherwise specified in your Admission Letter. To be seated, your application and fee must be received by NAI at least two weeks before the requested exam date. If you have not received an Admission Letter within five working days of that date, call NAI.

Richmond	Northern VA	Norfolk	Lynchburg	Front Royal	Charlottesville	Richlands
24 Mar	10 Mar	18 Mar	24 Mar	4 Mar	31 Mar	
21 Apr	7 Apr	14 Apr	28 Apr	1 Apr	27 Oct	14 Mar
26 May	5 May	13 May	19 May	6 May	9 May	
23 Jun	9 Jun	17 Jun	23 Jun	3 Jun	11 Jul	
21 Jul	7 Jul	15 Jul	28 Jul	1 Jul	Big Stone	12 Sep
25 Aug	11 Aug	18 Aug	18 Aug	5 Aug	Gap	14 Nov
22 Sep	8 Sep	15 Sep	29 Sep	2 Sep	13 Jun	
20 Oct	6 Oct	14 Oct	27 Oct	7 Oct	8 Aug	
23 Nov	10 Nov	18 Nov	30 Nov	4 Nov	12 Dec	
28 Dec	8 Dec	16 Nov	1 Dec	2 Dec		

Commonwealth of Virginia
Department of commerce
Board of Contractors

National Assessment Institute
9881 Mayland Drive, Suite 110
Richmond, Virginia 23233
800/356-3381 or 804/747-3297

Application for Examination Class A and B Contractor

*** Application Must Be Typed or Printed in Ink ***

I am applying for (check one): Class A ____ Class B ____

Name _____

Address _____

City _____ State _____ ZIP _____

_____-_____-_____- (_____) _____-_____
Social Security Number Daytime Telephone Number

Disclosure of Social Security Number not required by law.

Company: _____

I attest that I am a full-time employee of this company (or firm) and that I am at least 18 years of age. I further attest that this application is true and any misrepresentation may be grounds for the declaration that the examination results are null and void.

Signature Date

The examination fee for contractors is \$20.00 per part of the examination; Class B take two parts, Class A take all three. Please check the parts you need to take and the fee enclosed with this application:

Class A: Part 1 - Virginia Section	\$20.00 ()	Class B: Part 1 - Virginia Section	\$20.00 ()
Part 2 - General Section	\$20.00 ()	Part 2- General Section	\$20.00 ()
Part 3 - Advanced Section	\$20.00 ()		

If ordering the Contractor's Reference Manual for \$20.00, please check ()

Total Amount Enclosed: \$ _____

Examination are scheduled on a space-available basis. The dates below are tentative and based on the number of candidates or required to fill an exam site; second days may be added as demand warrants: read your Admission Letter carefully. All exams begin at 10:00 a.m. unless otherwise specified in your Admission Letter. To be seated, your application and fee must be received by NAI at least two weeks before the exam date. If you have not received an Admission Letter within five working days of that date, call NAI.

Richmond	Northern VA	Norfolk	Lynchburg	Front Royal	Charlottesville	Richlands
24 Mar	10 Mar	18 Mar	24 Mar	4 Mar	31 Mar	
21 Apr	7 Apr	14 Apr	28 Apr	1 Apr	27 Oct	14 Mar
26 May	5 May	13 May	19 May	6 May		9 May
23 Jun	9 Jun	17 Jun	23 Jun	3 Jun		11 Jul
21 Jul	7 Jul	15 Jul	28 Jul	1 Jul	Big Stone	12 Sep
25 Aug	11 Aug	18 Aug	18 Aug	5 Aug	Gap	14 Nov
22 Sep	8 Sep	15 Sep	29 Sep	2 Sep	13 Jun	
20 Oct	6 Oct	14 Oct	27 Oct	7 Oct	8 Aug	
23 Nov	10 Nov	18 Nov	30 Nov	4 Nov	12 Dec	
28 Dec	8 Dec	16 Nov	1 Dec	2 Dec		

About the Examination

This multiple-choice, open book exam is divided into three parts. Class B Contractors take the first two parts, Class A Contractors take all three. Each part deals with several topics, as outlined below.

Part I - Virginia Section

(1 hour, 24 questions, pass score 80%)

Regulation of Contractors

- Understand and apply knowledge of licensing classifications, regulatory agencies, statutory obligations, and applicable violations and penalties.
- Understand and apply the regulations of the Board for Contractors.
- Understand and apply the requirements of the Virginia Contractors Transaction Recovery Act.
- Understand and apply the permitting and inspection requirements of the Virginia Uniform Statewide Building Code.

Contract Management

- Use Contractual agreements.
- Prepare bids and compile bid packages using estimates for labor, material, and overhead.
- prepare addenda, change orders, etc.
- Determine subcontractor contractual responsibilities and relationships.

- Hire and Fire.
- Comply with employment statutes.
- Manage payroll deductions.

Insurance, Bonding and Liens

- Determine liability insurance needs.
- Identify bonding requirements.
- File a lien or be involved with lien enforcement.

Part 3 - Advanced Section

(1 hour, 24 questions, pass score 60%)

Project Management

- Develop estimates for labor, material and overhead.
- Prepare bids and compile bid packages.
- Schedule resource allocation.
- Job cost accounting.
- Determine progress payments.

Financial Management

- Review and prepare balance sheets.
- Review and prepare financial statements.
- Interpret accounting ledgers and journals.

Part 2 - General Section

(2 hours, 52 questions, pass score 60%)

- Compute depreciations.
- Forecast and control cash flow.
- Federal payroll tax reports.

Project Management

- Schedule and monitor tasks, labor, equipment, inspections, and subcontractors.
- Perform job costing.
- Determine progress payments through job completion.
- Financial Management
- Review balance sheets.
- Review financial statements.
- Control cash flow.
- Secure credit.
- Determine tax obligations.

Insurance, Bonding and Liens

- Risk evaluation and insurance coverage.

Contract Management

- Use of Standard contracts.
- Prepare addenda, change orders, etc.

Safety, Personnel, & Payroll

- Comply with Virginia OSHA and Worker's Compensation regulations.
- Comply with EPA regulations.